THE HON'BLE SRI JUSTICE N.V. RAMANA

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W.P. No. 11873 of 2006

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Oral order:

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents-APSRTC.

The petitioner, who is working as Superintendent (Audit) with the respondents-APSRTC, has filed this writ petition assailing the proceedings dated 12.04.2006, passed by the 2nd respondent, namely Deputy Chief Personnel Manager, transferring him from Vijayawada Zone to Guntur Region on the ground of long standing.

It is the main contention of the petitioner that to accommodate the 4th respondent, the 2nd respondent contrary to the transfer guidelines issued in Circular No. PD-111/1997-78, dated 08.09.1977, which require an employee likely to retire shortly, has to be retained at the place of his working, has issued the proceedings transferring him from Vijayawada Zone to Guntur Region. It is his further case that though he made representation dated 17.04.2006 requesting the 2nd respondent to retain him at the present place, without passing any orders thereon, the impugned transfer is sought to be effected. He thus prayed for appropriate instructions.

The learned Standing Counsel for the respondents-APSRTC on instructions submits that the petitioner is working in Vijayawada Zone since 27 years, and he is the senior-most employee, and taking into consideration his long standing service in Vijayawada Zone, he has been transferred.

The learned counsel for the petitioner submitted that even though the transfer order has been made as far back as on 12.04.2006, till date he has not been relieved and the 4th respondent has also not joined. The learned Standing Counsel for the respondents-APSRTC disputed the said fact.

Having heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents-APSRTC and having regard to fact that the representation dated 17.04.2006, said to have been made by the petitioner is pending before the 2nd respondent, I consider it appropriate to dispose of the writ petition with the following

directions:

The 2nd respondent, namely Deputy Chief Personnel Manager, APSRTC, Vijayawada Zone, Vijayawada, is directed to consider and dispose of the of the representation dated 17.04.2006, said to have been made by the petitioner, in the light of transfer guidelines issued in Circular No. PD-111/1977-78, dated 08.09.1977, and pass appropriate orders thereon, in accordance with law, within a period of two weeks from the date of receipt of a copy of this order. If the petitioner is not relieved from the post and the 4th respondent has not joined in the post held by the petitioner, then status quo obtaining as on today shall be maintained till the disposal of the representation of the petitioner.

The writ petition is accordingly disposed of. No costs.

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N.V. RAMANA, J.

Date: 29th June, 2006.
KSR